

**Response under 37 C.F.R. 1.116**

Applicant: Michael C. Robinson et al.

Serial No.: 10/633,804

Filed: August 4, 2003

Docket No.: 200207438-1

Title: COMPUTER DATABASE ACCESS

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**REMARKS**

The following Remarks are made in response to the Final Office Action mailed September 12, 2007, in which claims 1-9, 11-17, and 21 were rejected.

Claims 1-9, 11-17, and 21 remain pending in the application and are presented for reconsideration and allowance.

**Claim Objections**

The amendment filed August 15, 2007 is objected to under 35 U.S.C. 132(a) as introducing new matter into the disclosure. More specifically, the Examiner contends that the limitation "wherein the agent is distinct from the restricted intermediate database and the database of interest" is not supported by the original disclosure.

Applicant respectfully disagrees, and submits that the limitation "wherein the agent is distinct from the restricted intermediate database and the database of interest" does not introduce new matter into the disclosure and submits that the agent being distinct from the restricted intermediate database and the database of interest is supported by the original disclosure.

Applicant notes that information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter. See M.P.E.P. § 2163.06.

In this instance, the agent being distinct from the restricted intermediate database and the database of interest is illustrated, for example, in Fig. 3. More specifically, Fig. 3 illustrates First Network Device 44, Agent 46, Database of Interest 48, and Restricted Intermediate Database 50. As illustrated in Fig. 3, Agent 46 is clearly distinct from Database of Interest 48 and Restricted Intermediate Database 50.

In addition, with reference to Fig. 1, the Specification, at page 2, line 26 - page 3, line 12, provides that:

*An agent stores the unique identifier in the restricted intermediate database (12)....The management application creates an object for indicating the data type of the data item, e.g., numerical value or string (14). The agent stores the data type of the data item in the restricted intermediate database (16). The management application creates an object for indicating an action to be performed on the data item with respect to the database of interest, e.g., retrieval of the data item from the*

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*database of interest, addition of the data item to the database of interest, or use of the data item to change data in the database of interest (18)...The agent issues a command to perform the action (20). The agent receives a response to the command (22). The agent sends the response to the management application (24) (emphasis added).*

Furthermore, with reference to Fig. 3, the Specification, at page 4, lines 12-24, provides that:

*...a first network device 44 is operatively coupled to a second network device (not shown), and an agent software program 46 is programmed to monitor the second network device. First network device 44 is programmed to create a first object for indicating a unique identifier for a data item, to create a second object for indicating a data type for the data item, to create a third object for indicating an action to be performed on the data item with respect to the database of interest 48, and to receive a response to an action command to perform an action on the data item with respect to the database of interest 48. Agent 46 is programmed to store the unique identifier in restricted intermediate database 50, to store the data type in restricted intermediate database 50, to issue the action command [to the database of interest 48], to receive the response [from database of interest 48], and to send the response to the first network device (emphasis added).*

Thus, the agent (e.g., Agent 46) stores information (e.g., the unique identifier and the data type) in the restricted intermediate database, issues the action command to the database of interest, receives the response to the action command from the database of interest, and sends the response to the management application/first network device. As such, the agent facilitates communication between and among the restricted intermediate database, the database of interest, and the management application/first network device, and provides access to the restricted intermediate database and the database of interest for the management application/first network device. The agent, therefore, is a distinct entity facilitating communication between and among and providing access to the restricted intermediate database, the database of interest, and the management application/first network device.

In view of the above, Applicant submits that that the original disclosure does provide a basis for the agent being distinct from the restricted intermediate database and the database of interest. Accordingly, Applicant respectfully submits that the limitation "wherein the agent is distinct from the restricted intermediate database and the database of interest" may be added to the claims without introducing new matter. Applicant, therefore, respectfully requests that the objection to the claims be reconsidered and withdrawn.

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**Claim Rejections under 35 U.S.C. § 103**

Claims 1-17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuchiya US Patent No. 6,950,864 in view of Essential SNMP, by Douglas Mauro et al., and in further view of "Official Notice".

Applicant respectfully traverses this rejection, and notes that claim 10 was previously cancelled without prejudice.

Independent claim 1 includes **"an agent receiving said unique identifier from said management application and storing said unique identifier in a restricted intermediate database which is distinct from the database of interest and to which access is unavailable with the management application,"** wherein **"the agent is distinct from the restricted intermediate database and the database of interest."**

Independent claim 7 includes **"an agent configured to monitor said second network device,"** wherein **"said agent is distinct from the restricted intermediate database and the database of interest."**

Independent claim 15 includes **"an agent programmed to monitor said device,"** wherein **"said agent is distinct from the restricted intermediate database and the database of interest."**

Independent claim 21 includes **"an agent receiving said unique identifier from said management application and storing said unique identifier in a restricted intermediate database which is distinct from the database of interest and to which access is unavailable by the management application,"** wherein **"the agent is distinct from the restricted intermediate database and the database of interest."**

Independent claims 1, 7, 15, and 21, therefore, each include an agent (1) receiving a unique identifier for a data item, a data type for the data item, and an action to be performed on said data item from a management application or network device/management station, (2) storing the unique identifier and the data type in a restricted intermediate database which is distinct from the database of interest and to which access is unavailable with/by the management application, and (3) issuing an action command to the database of interest to perform the action on the data item using the stored unique identifier, the stored data type, and the action, whereby the agent (4) receives a response from the database of interest and sends the response to the management application or network device/management station,

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and wherein the agent is distinct from the restricted intermediate database and the database of interest.

With respect to the Tsuchiya and Mauro references, Applicant submits that these references, individually or in combination, do not disclose a method for accessing a database of interest as claimed in independent claim 1, do not disclose an apparatus for accessing a database of interest as claimed in independent claim 7, do not disclose an apparatus for accessing a database of interest as claimed in independent claim 15, and do not disclose a computer-readable medium having computer-readable instructions for performing a method of accessing a database of interest as claimed in independent claim 21.

Regarding the Tsuchiya reference, the Examiner appears to correlate management table 20 and table managing section 22 of the Tsuchiya reference to the restricted intermediate database and the database of interest of independent claims 1, 7, 15, and 21. Applicant notes, however, that management table 20 and table managing section 22 of the Tsuchiya reference are both part of object managing section 19, and that object managing section 19 is part of control processing section 17 which, in turn, is part of SNMP agent 14 (see, e.g., FIGS. 1, 3, 4, and 5). Thus, management table 20 and table managing section 22 of Tsuchiya reference are both part of SNMP agent 14. Management table 20 and table managing section 22 of Tsuchiya reference, therefore, are not distinct from SNMP agent 14.

Accordingly, Applicant submits that the Tsuchiya reference does not disclose an agent (1) receiving a unique identifier for a data item, a data type for the data item, and an action to be performed on said data item from a management application or network device/management station, (2) storing the unique identifier and the data type in a restricted intermediate database which is distinct from the database of interest and to which access is unavailable with/by the management application, and (3) issuing an action command to the database of interest to perform the action on the data item using the stored unique identifier, the stored data type, and the action, whereby the agent (4) receives a response from the database of interest and sends the response to the management application or network device/management station, and wherein the agent is distinct from the restricted intermediate database and the database of interest.

In view of the above, Applicant submits that independent claims 1, 7, 15, and 21 are each patentably distinct from the Tsuchiya and Mauro references and, therefore, are each in a

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condition for allowance. Furthermore, as dependent claims 2-6 further define patentably distinct claim 1, dependent claims 8, 9, and 11-14 further define patentably distinct claim 7, and dependent claims 16-17 further define patentably distinct claim 15, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-17 and 21 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1-9, 11-17, and 21 be allowed.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-9, 11-17, and 21 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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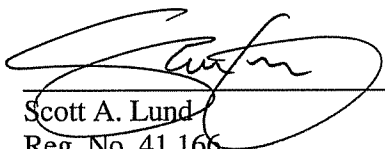
Respectfully submitted,

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